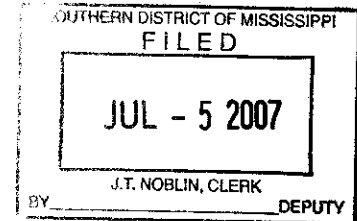


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



BEVERLY HOSCH and LOUIS HOSCH

PLAINTIFFS

V.

CIVIL ACTION NO.1:06CV590 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

MEMORANDUM OPINION and ORDER

The Court has before it the motion [69] of Defendant State Farm Fire and Casualty Company (State Farm) To Exclude the testimony of plaintiff's expert Stephen M. Wistar (Wistar). Wistar is a meteorologist employed by AccuWeather, Inc.. The plaintiffs have retained Wistar to evaluate the weather conditions on the Coast during Hurricane Katrina and to determine whether the winds generated by the storm were sufficient to damage or destroy the plaintiff's insured property. State Farm contends that Wistar is not qualified by training and experience to testify in this action, and State Farm also contends that Wistar's opinions are not properly supported by the facts.

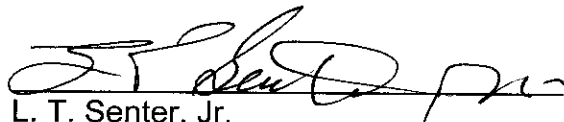
I will deny this motion without prejudice to the right of State Farm to examine Wistar concerning any matters touching his qualifications as an expert witness at the time he is tendered as an expert witness. I am of the opinion that the objections State Farm raises to the factual support for Wistar's opinions are proper for cross-examination, but these objections go to the weight and not the admissibility of these opinions.

Accordingly, it is

ORDERED

That the motion [69] of State Farm Fire and Casualty Company To Exclude the Testimony of Stephen M. Wistar is **DENIED** without prejudice to the right of the defendant to examine Wistar at the time he is tendered as an expert witness in this action.

SO ORDERED this 5th day of July, 2007.


L. T. Senter, Jr.
Senior Judge